

112TH CONGRESS  
1ST SESSION

# H. R. 1038

To authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 11, 2011

Mr. GOSAR introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. CONVEYANCE OF LAND TO CORRECT ERRO-**  
4                       **NEOUS SURVEY, COCONINO NATIONAL FOR-**  
5                       **EST, ARIZONA.**

6       (a) CONVEYANCE AUTHORIZED.—The Secretary of  
7       Agriculture may convey by quitclaim deed all right, title,

1 and interest of the United States in and to the two parcels  
2 of land described in subsection (b) to a person or legal  
3 entity that represents (by power of attorney) the majority  
4 of landowners with private property adjacent to the two  
5 parcels. These parcels are within the boundaries of the  
6 Coconino National Forest and contain private improve-  
7 ments that were developed based upon the reliance of the  
8 landowners in an erroneous survey conducted in May  
9 1960.

10 (b) DESCRIPTION OF LAND.—The two parcels of land  
11 authorized for conveyance under subsection (a) consist of  
12 approximately 2.67 acres described in the Bureau of Land  
13 Management’s Survey Plat titled Subdivision and Metes  
14 and Bounds Surveys in secs. 28 and 29, T. 20 N., R. 7  
15 E., Gila and Salt River Meridian approved February 2,  
16 2010, as follows:

17 (1) Lot 2, sec. 28, T. 20 N., R. 7 E., Gila and  
18 Salt River Meridian, Coconino County, Arizona.

19 (2) Lot 1, sec. 29, T. 20 N., R. 7 E., Gila and  
20 Salt River Meridian, Coconino County, Arizona.

21 (c) CONSIDERATION.—

22 (1) AMOUNT OF CONSIDERATION.—As consider-  
23 ation for the conveyance of the two parcels under  
24 subsection (a), the person or legal entity that rep-  
25 represents (by power of attorney) the majority of land-

1 owners with private property adjacent to the parcels  
2 shall pay to the Secretary consideration in the  
3 amount of \$20,000.

4 (2) DEPOSIT.—The Secretary shall deposit the  
5 consideration received under this subsection in a  
6 special account in the fund established under Public  
7 Law 90–171 (commonly known as the Sisk Act; 16  
8 U.S.C. 484a).

9 (3) USE.—The deposited funds shall be avail-  
10 able to the Secretary, without further appropriation  
11 and until expended, for acquisition of land in the  
12 State of Arizona for addition to the National Forest  
13 System.

14 (d) REVOCATION OF ORDERS.—Any public orders  
15 withdrawing any of the Federal land from appropriation  
16 or disposal under the public land laws are revoked to the  
17 extent necessary to permit conveyance of the Federal land  
18 under subsection (a).

19 (e) WITHDRAWAL OF FEDERAL LAND.—Subject to  
20 valid existing rights, the Federal land authorized for con-  
21 veyance under subsection (a) is withdrawn from all forms  
22 of entry and appropriation under the public land laws, lo-  
23 cation, entry, and patent under the mining laws, and oper-  
24 ation of the mineral leasing and geothermal leasing laws  
25 until the date which the conveyance is completed.

1       (f) OTHER TERMS AND CONDITIONS.—The convey-  
2   ance authorized by subsection (a) shall be subject only to  
3   those surveys and clearances as needed to protect the in-  
4   terests of the United States.

5       (g) DURATION OF AUTHORITY.—The authority pro-  
6   vided under this section shall terminate three years after  
7   the date of the enactment of this Act.

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